

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed February 2, 2006. At the time of the Office Action, Claims 1-21 were pending in this Application. Claims 1-21 were rejected. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1-21 were rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0100036 by Sean Moshir et. al. ("Moshir"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

More specifically, Independent Claim 1 recites a method of validating a network that includes, among other limitations, "automatically comparing the discovered attributes with a predefined set of valid device attributes." Independent Claim 8 recites a program product for validating devices that includes instructions for "automatically comparing the discovered attributes with a predefined set of valid device attributes." Independent Claim 14 recites an information handling system for validating a network configuration that includes, among other limitations, "a predefined set of valid device attributes stored in the computer-usable medium" and processing resources for "automatically comparing the discovered attributes with the predefined set of valid device attributes."

Examiner cites to Moshir as teaching the validation of a device and for providing a “predefined set of valid device attributes” as recited in Claims 1, 8 and 14. More specifically, Examiner cites to Moshir’s use of a recommended configuration 704. See paragraph [0126]. However, Applicants submit that Moshir’s teachings relate to the automated updating based on a single configuration. In contrast, the present claims are directed at the validation of devices in a network. By providing a “pre-defined set of valid device attributes” more than a single device configuration may be valid within a given system. In this manner the validation system and operation presently claimed is not limited to a single recommended configuration as disclosed by Moshir. Accordingly, Moshir fails to disclose, teach or suggest the predefined set of valid device attributes for use in the validation of network devices as recited in Claims 1, 8 and 14.

Because Moshir does not teach each and every claimed limitation, Moshir cannot anticipate Independent Claims 1, 8 or 14. Applicants respectfully request reconsideration, withdrawal of the rejections under §102 and full allowance of Independent Claims 1, 8 and 14 and Claims 2-7, 9-13 and 15-21 which depend therefrom..

Association of Customer Number

Applicants respectfully request that all papers pertaining to the above-captioned patent application be associated with Customer No. **23640**, and direct all correspondence pertaining to this patent application to practitioners at Customer Number **23640**. All telephone calls should be directed to Brian E. Szymczak at 512.322.2548.

Information Disclosure Statement

Applicants enclose an Information Disclosure Statement and PTO Form 1449, with a copy of the references and a check in the amount of \$180.00, for the Examiner's review and consideration.

ATTORNEY DOCKET
016295.0745
(DC-03247)

PATENT APPLICATION
10/051,682

11

CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the claims as amended.

Applicants enclose a Petition for One Month Extension of Time and a check in the amount of \$120.00 for the extension fee. Applicants believe there are no further fees due at this time, however, the Commissioner is hereby authorized to charge any additional fees necessary or credit any overpayment to Deposit Account No. 02-0383 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2548.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorney for Applicants



Brian E. Szymczak
Reg. No. 47,120

Date: June 2, 2006

SEND CORRESPONDENCE TO:

BAKER BOTTS L.L.P.

CUSTOMER ACCOUNT NO. **23640**

512.322.2548

512.322.8383 (fax)

- Enclosure: 1) Information Disclosure Statement and PTO Form 1449, with a copy of the references and a check in the amount of \$180.00.
- 2) Petition for One Month Extension of Time and a check in the amount of \$120.00.